

## MINUTES

### WARRICK COUNTY AREA BOARD OF ZONING APPEALS BY HEARING OFFICER

Special Meeting held in the Plan Commission Office,  
Room 201, Historic Courthouse, Boonville, Indiana

March 23, 2018 2:00 P.M.

Present were: Sherri Rector, Executive Director and acting as Hearing Officer for the Warrick County Area Board of Zoning Appeals. Also present was Sheila Lacer, Recording Secretary.

#### **BZA-V-18-07**

**PETITIONER & OWNER:** Dwight E. Hamilton

**PREMISES AFFECTED:** Property located on the W side of Blue Water Ct. approximately 0' SW of the intersection formed by Blue Water Ct & Clearview Dr., Ohio Twp., Lot 73 Waterfront @ Old Hickory Sec. B. *3155 Blue Water Court*

**NATURE OF CASE:** Applicant requests a Variance from the requirements as set forth in the Comprehensive Zoning Ordinance in effect for Warrick County, IN to allow an 8' high privacy fence to be constructed which exceeds the maximum 6' height limit in and "R-1A" One Family Dwelling zoning district.

Present was Dwight Hamilton.

Mrs. Rector explained that an Ordinance was adopted by the Area Plan Commission and Board of County Commissioners, which amended the Comprehensive Zoning Ordinance to provide a more expedient process for some matters that are heard by the Board of Zoning Appeals. She stated this Ordinance designated the Executive Director as a Hearing Officer for the Board of Zoning Appeals and if this process is followed, instead of advertising the application for public hearing before the Board, the applicant must take an affidavit of non-objection and obtain the signatures of the adjoining or adjacent property owners the Hearing Officer determines that need to be notified of the application. She explained that upon obtaining those signatures, and if all the parties signed that they do not object. The Executive Director will then hold the hearing without waiting for a Board Hearing. She stated in this situation, a hardship would be imposed on the applicants if they had to wait until the next Board meeting on April 23, 2018.

Mrs. Rector stated the Variance is to allow an 8' high privacy fence to be constructed which exceeds the maximum 6' height limit. Mrs. Rector said a Variance is needed for the applicant to stay in compliance with the Comprehensive Zoning Ordinance.

The Hearing Officer approved the application, subject to the following conditions:

- a) Subject to the property being in compliance at all times with the applicable zoning ordinances of Warrick County.
- b) Subject to all utility easement and facilities in place.

Being no other business the meeting adjourned at 2:10 PM.

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Sherri Rector, Hearing Officer  
Executive Director  
Warrick County Area Plan Commission

ATTEST:

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Sheila Lacer, Recording Secretary